

THERESA CLAASSEN, Secretary-Treasurer

DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition)	L-60144
of:)	
TRI DANG NGUYEN)	
12922 Harbor Blvd., #489)	
Garden Grove, CA - 92640)	
Certificate No. A-36537,)	
for reinstatement of)	
revoked certificate.)	
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DECISION OF MEDICAL QUALITY REVIEW COMMITTEE

This matter came on regularly for hearing before a quorum of a panel of the District 11 Medical Quality Review Committee, Alexander Kouyoumdjian, M. D. presiding. Paul M. Hogan, Administrative Law Judge of the Office of Administrative Hearings, conducted the hearing on the petition, and served as legal advisor to the Committee during its executive session, but took no part in the Committee's deliberations.

Petitioner appeared personally and was represented by Christopher Real, attorney at law. The Attorney General of the State of California was represented by Billie Jan Goldstein, Deputy Attorney General.

Evidence, both oral and documentary, was presented and the matter was submitted for decision. The Committee makes its findings of fact, determinations of issues, and renders its decision as follows:

FINDINGS OF FACT

I

On April 13, 1981, Physician's and Surgeon's Certificate No. A-36537 was issued by the Division to petitioner Tri Dang Nguyen, M. D.

II

On December 6, 1990, after notice and hearing, the Division revoked petitioner's Certificate upon a finding of gross negligence and incompetence in the following respects with regard to his treatment of a 32 year old woman patient:

- a. He acted as both the surgeon and the anesthesiologist when he performed an elective surgery.
- b. He failed to have appropriate equipment for resuscitation and appropriately trained personnel for resuscitation.
- c. He failed to have detailed operative and anesthetic records.
- d. He failed to manage the high^e spinal anesthesia properly.

III

Petitioner has presented evidence of extensive continuing medical education. However, other than this evidence, petitioner has not shown the Committee sufficient evidence to justify any variance from the previous disposition of this case.

IV

Specifically, militating against a grant of the relief sought by the petition are the facts that but the minimum amount of time has passed since the order of revocation and the filing of the instant petition, and that petitioner has failed to show the Committee evidence of his completion of residential programs he initiated. This, coupled with the gravity of the misconduct described above, compels denial of the petition.

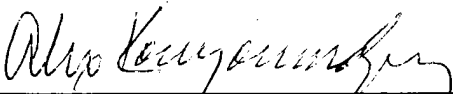
DETERMINATION OF ISSUES

Petitioner has failed to establish his present competence, in the light of his past misconduct, to practice medicine safely and effectively in the State of California.

ORDER

The petition is denied.

April 30, 1993


ALEXANDER KOUYOUMDJIAN, M. D.